

clerk's office, and that the application for license shall be made at least three (3) and not more than thirty (30) days before the license shall be issued, and requiring the recording of applications for license by the county clerk in a book kept for that purpose, and requiring the certificate from a reputable licensed physician as to the physical condition of the man to be married, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 4, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 827, "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five (5) year closed season on wild fox in certain counties; providing a penalty for violation of this Act; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

## SIXTIETH DAY

(Friday, May 5, 1933)

The House met at 9:15 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Coombes.
Adamson.	Davidson.
Aikin.	Devall.
Alsup.	Dunagan.
Anderson	Dwyer.
of Bexar.	Fain.
Anderson	Fisher.
of Johnson.	Ford.
Baker.	Fuchs.
Barrett.	Glass.
Barron.	Golson.
Bedford.	Good.
Bourne.	Goodman.
Bradley.	Graves.
Burns.	Greathouse.
Calvert.	Griffith.
Canon.	Hankamer.
Chastain.	Harman.
Colson.	Harris.

Hester.	Parkhouse.
Hicks.	Ratliff.
Hill of Brazoria.	Ray.
Hill of Webb.	Reader.
Hodges.	Reed of Bowie.
Holekamp.	Reed of Dallas.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Hughes.	Rogers
Hunt.	of Ochiltree.
Jackson.	Rollins.
James.	Ross.
Jefferson.	Russell.
Jones of Shelby.	Scarborough.
Kayton.	Scott.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Lindsey.	Stanfield.
Lotief.	Steward.
Magee.	Stovall.
Mackay.	Sullivant.
McClain.	Tarwater.
McCullough.	Thomas.
McDougald.	Tillery.
Metcalfe.	Townsend.
Mitcham.	Vaughan.
Moffett.	Wagstaff.
Moore.	Walker.
Morrison.	Wells.
Morse.	Winningham.
Palmer.	Wood.

## Absent

Alexander.	Laird.
Beck.	Latham.
Butler.	Lemens.
Camp.	Leonard.
Cathey.	Long.
Celaya.	McGregor.
Clayton.	McKee.
Cowley.	Merritt.
Crossley.	Munson.
Daniel.	Nicholson.
Dean.	Patterson.
Dunlap.	Pavlica.
Duvall.	Pope.
Engelhard.	Puryear.
Haag.	Ramsey.
Harrison.	Renfro.
Hartzog.	Riddle.
Head.	Smith.
Holland.	Stinson.
Holloway.	Tennyson.
Hyder.	Turlington.
Johnson	Van Zandt.
of Anderson.	Weinert.
Jones of Atascosa.	Young.
Jones of Runnels.	

## Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

The Speaker announced that there was not a quorum present.

Mr. Fain moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Fain, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll was again called, and the following Members were present:

Mr. Speaker.	Greathouse.
Adamson.	Griffith.
Aikin.	Haag.
Alexander.	Hankamer.
Alsup.	Harman.
Anderson	Harris.
of Bexar.	Harrison.
Anderson	Hartzog.
of Johnson.	Head.
Baker.	Hester.
Barrett.	Hicks.
Barron.	Hill of Brazoria.
Beck.	Hill of Webb.
Bedford.	Hodges.
Bourne.	Holekamp.
Bradley.	Holland.
Burns.	Hoskins.
Butler.	Huddleston.
Calvert.	Hughes.
Camp.	Hunt.
Canon.	Hyder.
Cathey.	Jackson.
Celaya.	James.
Chastain.	Jefferson.
Clayton.	Johnson
Colson.	of Anderson.
Coombes.	Jones of Atascosa.
Cowley.	Jones of Runnels.
Crossley.	Jones of Shelby.
Daniel.	Kayton.
Davidson.	Kyle of Hays.
Dean.	Kyle of Palo Pinto.
Devall.	Laird.
Dunlap.	Latham.
Dunagan.	Lemens.
Duvall.	Leonard.
Dwyer.	Lindsey.
Engelhard.	Lotief.
Fain.	Magee.
Fisher.	Mackay.
Ford.	McClain.
Fuchs.	McCullough.
Glass.	McDougald.
Golson.	McGregor.
Good.	McKee.
Goodman.	Merritt.
Graves.	Metcalf.

Mitcham.	Russell.
Moffett.	Scarborough.
Moore.	Scott.
Morrison.	Shannon.
Morse.	Shults.
Munson.	Smith.
Nicholson.	Stanfield.
Palmer.	Steward.
Parkhouse.	Stinson.
Patterson.	Stovall.
Pavlica.	Sullivant.
Pope.	Tarwater.
Puryear.	Tennyson.
Ramsey.	Thomas.
Ratliff.	Tillery.
Ray.	Townsend.
Reader.	Turlington.
Reed of Bowie.	Van Zandt.
Reed of Dallas.	Vaughan.
Renfro.	Wagstaff.
Riddle.	Walker.
Roberts.	Weinert.
Rogers of Hunt.	Wells.
Rogers	Winningham.
of Ochiltree.	Wood.
Rollins.	Young.
Ross.	

Absent

Holloway. Long.

Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Mathis for today, on motion of Mr. Morse.

Mr. Caven for today, on motion of Mr. Hill of Brazoria.

Mr. Savage for today, on motion of Mr. Shannon.

Mr. Few was granted leave of absence for today, on account of illness in his family, on motion of Mr. Stovall.

#### RELATIVE TO THE CONSIDERATION OF RESOLUTIONS

On motion of Mr. Anderson of Bexar, the House dispensed with the consideration of resolutions at this time.

HOUSE BILL NO. 384 ON SECOND  
READING

Mr. Weinert moved to take up, for consideration at this time, House Bill No. 384, which bill had heretofore been laid on the table subject to call, and due notice having been given, that same would be called up today.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 384, A bill to be entitled "An Act to amend Article 7149, Chapter 6, Title 122, Revised Civil Statutes of the State of Texas, 1925, relating to the definition of the terms 'credit,' 'tract,' or 'lot,' 'town,' or 'district,' 'value,' 'person,' so as to change the definition of 'value,' in regard to real or other property, and declaring an emergency."

The bill was read second time.

Mr. Weinert offered the following committee amendment to the bill:

Amend House Bill No. 384 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. That Article 7149, Chapter 6, Title 122, Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7149. (7506) (5064), Definition of Terms: The term "money," or "moneys," wherever used in this title, shall, besides money, or moneys, include every deposit which any person owning the same or holding in trust, and residing in this State, is entitled to withdraw in money on demand.

"Credits. The term "credits," wherever used in this title, shall be held to mean and include every claim and demand for money or other valuable thing, and every annuity or sum of money receivable at stated periods, due or to become due, and all claims and demands secured by deed or mortgage, due or to become due.

"Tract or lot. The term "tract or lot," and "piece or parcel," of real property, and "piece and parcel," of land, wherever used in this title, shall each be held to mean any quantity of land in possession of, owned by, or recorded as the property of the same claimant, person, company or corporation.

"Town or district. The words "town or district," wherever used, shall be held to mean village, city, ward or precinct, as the case may be.

"Value. The "true and full value," or "value," wherever used, when applied to real property, shall be held to mean the capitalization of the net rental or net earning value of such real property; such net rental or net earning value to be determined by the actual net rental or net earning value accruing therefrom, or from the net rental or net earning values of adjacent or contiguous or similar real property within the county; and in the determination of the aforesaid capitalization, a percentage shall be used which is best calculated under all the circumstances to bring about a just, full, equitable, and lawful valuation, within the limits set forth.

"The term "true and full value," wherever used, when applied to all property, other than real property, having no rental value, shall be held to mean the fair market value, in cash, at the place where the property to which the term is applied, shall be at the time of assessment, being the price which would be obtained therefor at private sale, and not at forced or auction sale.

"Person. The term "person" shall be construed to include firm, company, or corporation."

"Sec. 2. That Article 7174, Chapter 6, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7174. Each separate parcel of real property shall be valued at its true and full value; such true and full value shall be held to mean the capitalization of the net rental or net earning value of such real property; such net rentals or net earning value to be determined by the actual net rentals or net earning value accruing therefrom, or from the net rentals or net earning values of adjacent or contiguous or similar real property within the county; and in the determination of the aforesaid capitalization, a percentage shall be used which is best calculated under all the circumstances, to bring about a just, full, equitable, and lawful valuation within the limits set forth.

"In determining the true and full value of personal property, the assessor shall not adopt a lower or different

standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value, the price for which such property would sell at auction or a forced sale, or in the aggregate with all the property in his county; but he shall value each piece of personal property by itself, and at such sum and price as he believes the same to be fairly worth in money at the time such assessment is made. Personal property of every description shall be valued at the place where the property shall be at the time of assessment, being the price which could be obtained therefor at private sale and not at forced or auction sale.

"Money, whether in possession or on deposit or in the hands of any member of the family, or any other person whatsoever, shall be entered in the statement at the full amount thereof.

"Every credit for a sum certain, payable either in money or property of any kind, shall be valued at the full value hereinbefore set forth. If for a specified article or for a specified number or quantity of personal property, it shall be valued at the current price of such property at the place where payable. Annuities or moneys payable at stated periods shall be valued at the price that the person listing the same believes them to be worth in money."

"Sec. 3. That Article 7206, Chapter 7, Title 122, of the Revised Civil Statutes of 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7206. Each commissioners court shall convene and sit as a board of equalization on the second Monday in May of each year, or as soon thereafter as practicable, before the first day of June, to receive on the assessment list or books of the assessors of their counties for inspection, correction, or equalization and approval.

"1. They shall cause the assessor to bring before them at such meeting all said assessment lists, books, etc., for inspection and see that every person has rendered his property at its true and full value, as "true and full value" is defined by Article 7149, as amended by this Act, and shall have power to send for persons, books, and papers, swear and qualify persons to ascertain the value of such property, and to lower or raise the value on the same.

"2. They shall have power to correct errors in assessments.

"3. After they have inspected and equalized, as nearly as possible, they shall approve said lists or books, and return same to the assessor for making up the general rolls, when said board shall meet again and approve the same if same be found correct.

"4. Whenever said board shall find it is their duty to raise the assessment of any person's property, they shall order the county clerk to give the person who rendered the same written notice that they desire to raise the value of same. They shall cause the county clerk to give ten days' written notice before their meeting by publication in some newspaper, but, if none is published in the county, then by posting a written or printed notice in each justice's precinct, one of which must be at the courthouse door.

"5. The assessors of taxes shall furnish said board, on the first Monday in May of each year, or as soon thereafter as practicable, a certified list of names of all persons who either refuse to swear, or to qualify, or to have signed the oath required by law, together with the assessment of said person's property made by him through other information; and said board shall examine, equalize, and correct assessments so made by the assessor, and when so revised, equalized, and corrected, the same shall be approved."

"Sec. 4. That Article 7211, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7211. Hereafter when any person, firm, or corporation renders his, their, or its property in this State for taxation to any tax assessor, and makes oath as to the kind, character, quality, and quantity of such property, and the said officer, accepting said rendition from such person, firm, or corporation of such property, is satisfied that it is correctly and properly valued, according to the reasonable, true, and full value, as hereinbefore defined, of such property on the market at the time of its rendition, he shall list the same accordingly; but if the assessor is satisfied that the value is below the true and full value, as hereinbefore defined, he shall at once place on said rendition, opposite each piece of property so rendered, an

amount equal to the true and full value, as hereinbefore defined; and if the person listing such property, or the owner thereon is not satisfied with the value placed on the property by the assessor, he shall so notify the assessor that the valuation so fixed by said officer on said property is excessive; such officer to furnish such rendition, together with his valuation thereon and the oath of such person, firm, or office or any corporation, if any such oath has been made, to the commissioners court of the county in which said rendition was made, which court shall hear evidence and determine the true value of such property on January 1, 19— (here give year for which assessment is made), as is herein provided.'

"Sec. 5. That Article 7212, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7212. (7570) (5124) Boards May Equalize: The boards of equalization shall have power, and it is made their official duty, to supervise the assessment of their respective counties, and, if satisfied that the valuation of any property is not in accordance with the laws of the State, to increase or diminish the same and to affix a proper valuation thereto, as provided for in the preceding Article; and, when any assessor in this State shall have furnished said court with the rendition as provided for in the preceding Article, it shall be the duty of such court to call before it such persons, as in its judgment may know the true and full value of such property, as hereinbefore defined, by proper process, who shall testify, under oath, the character, quality, and quantity of such property, as well as the value thereof. Said court, after hearing the evidence, shall fix the value of such property in accordance with the evidence so introduced and as provided for in the preceding Article; and their action in such case or cases shall be final. Said board of equalization shall fix the value of all property in their respective counties, subject to taxation by supervising all of the assessments of the tax assessor of the county fixing valuations on property, and shall find values of all property in said county, and shall thereupon enter its order directing the tax assessor of the county to place the property subject to taxation in said

county on his tax rolls for taxing purposes not exceeding 40 per cent of the value of said property, as fixed by said board of equalization. It is the purpose and intent of this Act to provide that the board of equalization shall fix the value of all property in the county for taxation purposes, and, after said value is fixed, that it shall be assessed for taxation at not exceeding 40 per cent of the value so fixed.'

"Sec. 6. That Article 7214, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7214. Oath of Assessor: Every tax assessor and deputy tax assessor in this State, in addition to the oath prescribed by the Constitution of this State, shall, before entering upon the duties of his office, take and subscribe to the following oath:

"'I, . . . . ., tax assessor (or deputy tax assessor, as the case may be), in and for . . . . . County, Texas, do solemnly swear that I will personally view and inspect all the real estate and improvements thereon subject to taxation lying in said County that may be rendered to me for taxation by any corporation or individual, or by their agent or representative, as fully as may be practicable, and to allow, view, and inspect all other taxable property in said county rendered to me as aforesaid; that I will, to the best of my ability, make a true estimate of the true and full value of such property, as 'true and full value' is defined by the laws of this State, both real and personal, on the first day of January next preceding; that I will make up and attach to each assessment sheet made up and sworn to by the said property owners, their agents or representatives, a true assessment and valuation of said property, together with memoranda of all facts which I may learn, bearing upon the value of said taxable property, and that I will make all possible inquiry relative to the true value of such property; and that I will attach said memoranda and statement of facts that I may ascertain as aforesaid to the said assessment sheets of the respective property owners. That I have read and understand the several provisions of the Constitution and laws of this State relative to the valuation of taxable

property, and that I will faithfully do and perform every duty required of me as tax assessor (or deputy tax assessor), by the Constitution and laws of this State. So help me God."

"This oath shall be administered by the county clerk, and shall be in duplicate; the original shall be, by the clerk, filed and recorded in the records of the county, and the duplicate shall be retained by the assessor, or the deputy, as the case may be."

"Sec. 7. That Article 7215, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7215. When a commissioners court convenes as a board of equalization, before considering the subject of equalization of property values for the purposes of taxation, each member of the court, including the county judge, shall take and subscribe to the following oath:

"I, . . . . ., a member of the board of equalization of . . . . . County, for the year, A. D. . . . ., hereby solemnly swear that, in the performance of my duties as a member of such board for said year, I will not vote to allow any taxable property to stand assessed on the tax rolls of said county for said year at any sum which I believe to be less than 40 per cent of its full and true value, as hereinbefore defined; that I will faithfully endeavor, and as a member of said board will move, to have each item of taxable property which I believe to be assessed for said year at less than 40 per cent of its full and true value, raised on the tax rolls to what I believe to be 40 per cent of its true and full value; and that I will faithfully endeavor to have the assessed valuation of all property subject to taxation within said County stand upon the tax rolls of said County for said year at 40 per cent of its true and full value. I further solemnly swear that I have read and understand the provisions contained in the Constitution and laws of this State relative to the valuation of taxable property, and that I will faithfully perform all the duties required of me under the Constitution and laws of this State. So help me God."

"Said oath shall be filed and recorded in the commissioners court record as a part of the proceedings of that term of court."

"Sec. 8. That Article 7222, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 7222. The assessor of taxes shall, on or before the first day of August of each year, for which the assessment is made, return his rolls or assessments books of the taxable property rendered to him or listed by him for that year, after they have been made in accordance with the provisions of this title to the county board of equalization, verified by his affidavit, substantially on the following form:

"The State of Texas,

"County.

"I, . . . . ., assessor of . . . . . County, do solemnly swear that the rolls (or books) to which this is attached contain a correct and full list of the real and personal property subject to taxation in . . . . . County, so far as I have been able to ascertain the same; that I have sworn every person listing property to me in the County, or caused the same to be done in manner and form as provided by law, and that the assessed value set down in the proper column opposite the several kinds and descriptions of property is 40 per cent of the true and full valuation, as hereinbefore set forth, thereof as ascertained by law, and the footings of the several columns in said books and the tabular statement returned is correct, as I verily believe."

"Sec. 9. All laws or parts of laws in conflict herewith be, and the same are hereby, repealed.

"Sec. 10. If any section, subsection, clause, sentence, or phrase of this Act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Act.

"Sec. 11. The fact that the taking of all of the income of real property as is done under the present tax law substantially means confiscation; and the fact that our present valuations are arbitrarily fixed and controlled by the spender; and the further fact that to own real estate in this State has become a curse and not a privilege; the fact that many farms in our State yield no income, and have a market value sustained by a forlorn

hope of better times and by prospective and sucker sales; the fact that it has been a universal custom throughout Texas for many years for property to be assessed at a percentage of its value and at less than its real value; the desperate need for remedial legislation, in order to relieve a tax-weary and over-burdened populace, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule, requiring all bills to be read on three several days in each House, and said rule is hereby suspended, and this Act shall take effect and be in full force from and after its final passage, and it is so enacted."

Mr. Jones of Atascosa offered the following amendment to the committee amendment:

Amend House Bill No. 384, Section 1, line 5, page 4, after the word "percentage," by adding the following: "running through a period of time covering the preceding three years."

The amendment was adopted.

The committee amendment as amended was then adopted.

Mr. Weinert offered the following committee amendment to the bill:

Amend House Bill No. 384 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 384,

#### A BILL

#### To Be Entitled

An Act to amend Article 7149, Chapter 6, Title 122 of the Revised Civil Statutes of the State of Texas, 1925, relating to the definition of the terms 'credit,' 'tract,' or 'lot,' 'town' or 'district,' 'value,' 'person,' so as to change the definition of 'value' in regard to real and other property; to amend Article 7174, Chapter 6, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the valuation of property for taxation, so as to provide for such valuation in conformity with the changed definition of 'value'; to amend Article 7206, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the commissioners court acting as the board of equalization, so as

to fix the duties in conformity with the definition of 'value'; to amend Article 7211, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the equalization of assessments, so as to change the valuations fixed to conform with the definition of 'value'; to amend Article 7212, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the power of boards of equalization, and to fix the valuation on property for taxation, by providing that after said valuation has been fixed, said board shall direct the tax assessor to place said property on tax rolls for taxation at 40 per cent of the value so fixed; and to amend Article 7214, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the oath of the tax assessor or his deputy, so as to conform such oath to the definition of 'value'; to amend Article 7215, Chapter 7, Title 122, of the Revised Civil Statutes, State of Texas, 1925, relating to the oath of the board of equalization, by providing that said oath shall be not to vote nor allow any taxable property to stand assessed at less than 40 per cent of its value, as 'value' is defined herein; to amend Article 7222, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the oath to be made by the tax assessor, by providing that said oath shall be as to 40 per cent of the true and full value; repealing all laws or parts of laws in conflict herewith; directing a rule of construction, and declaring an emergency."

The amendment was adopted.

House Bill No. 384 was then passed to engrossment.

#### HOUSE BILL NO. 384 ON THIRD READING

Mr. Weinert moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 384 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—102

Adamson.	Johnson
Alexander.	of Anderson.
Alsup.	Jones of Atascosa.
Anderson	Jones of Shelby.
of Johnson.	Kayton.
Baker.	Kyle of Palo Pinto.
Barrett.	Laird.
Beck.	Latham.
Bourne.	Leonard.
Bradley.	Lotief.
Burns.	Magee.
Calvert.	McClain.
Camp.	McCullough.
Canon.	McDougald.
Cathey.	McKee.
Celaya.	Merritt.
Chastain.	Metcalfe.
Colson.	Mitcham.
Crossley.	Moffett.
Davidson.	Morrison.
Dean.	Morse.
Devall.	Munson.
Dunagan.	Palmer.
Duvall.	Parkhouse.
Dwyer.	Pavlica.
Fain.	Ratliff.
Fisher.	Ray.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Scarborough.
Hartzog.	Scott.
Head.	Shannon.
Hester.	Shults.
Hicks.	Smith.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Steward.
Holekamp.	Stovall.
Holland.	Tarwater.
Huddleston.	Thomas.
Hughes.	Turlington.
Hunt.	Walker.
Hyder.	Weinert.
Jackson.	Wells.
James.	Winningham.
Jefferson.	

## Nays—9

Aikin.	Nicholson.
Bedford.	Puryear.
Harris.	Tillery.
Jones of Runnels.	Wagstaff.
Lindsey.	

## Absent

Anderson	Butler.
of Bexar.	Clayton.
Barron.	Coombes.

Cowley.	Moore.
Daniel.	Patterson.
Dunlap.	Pope.
Engelhard.	Ramsey.
Harman.	Riddle.
Harrison.	Russell.
Hodges.	Stinson.
Holloway.	Sullivant.
Hoskins.	Tennyson.
Kyle of Hays.	Townsend.
Lemens.	Van Zandt.
Long.	Vaughan.
Mackay.	Wood.
McGregor.	Young.

## Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 384 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—98

Adamson.	Holekamp.
Alsup.	Holland.
Baker.	Huddleston.
Barrett.	Hughes.
Beck.	Hunt.
Bourne.	Hyder.
Bradley.	Jackson.
Burns.	James.
Calvert.	Jefferson.
Camp.	Johnson
Cathey.	of Anderson.
Celaya.	Jones of Atascosa.
Chastain.	Jones of Shelby.
Colson.	Kayton.
Coombes.	Kyle of Palo Pinto.
Crossley.	Laird.
Davidson.	Latham.
Devall.	Leonard.
Dunagan.	Lotief.
Duvall.	Magee.
Dwyer.	Mackay.
Fain.	McClain.
Fisher.	McCullough.
Ford.	McDougald.
Fuchs.	McKee.
Glass.	Merritt.
Good.	Metcalfe.
Goodman.	Moffett.
Graves.	Moore.
Greathouse.	Morrison.
Griffith.	Morse.
Haag.	Munson.
Hartzog.	Palmer.
Head.	Parkhouse.
Hester.	Pavlica.
Hicks.	Pope.
Hill of Brazoria.	Reader.
Hill of Webb.	Reed of Bowie.



Reed of Dallas.	Smith.
Renfro.	Stanfield.
Roberts.	Steward.
Rogers of Hunt.	Tarwater.
Rogers	Thomas.
of Ochiltree.	Townsend.
Rollins.	Turlington.
Ross.	Vaughan.
Scarborough.	Walker.
Scott.	Weinert.
Shannon.	Wells.
Shults.	Winningham.

## Nays—17

Aikin.	Lindsey.
Alexander.	Nicholson.
Bedford.	Puryear.
Canon.	Ratliff.
Dean.	Ray.
Harman.	Stovall.
Harris.	Tillery.
Jones of Runnels.	Wagstaff.
Kyle of Hays.	

## Absent

Anderson	Hoskins.
of Bexar.	Lemens.
Anderson	Long.
of Johnson.	McGregor.
Barron.	Mitcham.
Butler.	Patterson.
Clayton.	Ramsey.
Cowley.	Riddle.
Daniel.	Russell.
Dunlap.	Stinson.
Engelhard.	Sullivant.
Golson.	Tennyson.
Hankamer.	Van Zandt.
Harrison.	Wood.
Hodges.	Young.
Holloway.	

## Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

HOUSE BILL NO. 256 ON PAS-  
SAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 256, A bill to be entitled "An Act appropriating four million dollars (\$4,000,000) per year, or so much thereof as may be necessary, for the next two fiscal years for the purpose of promoting the public school interests of rural schools and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, attaching conditions, regulations, etc.";

The bill having heretofore been read second time.

Mr. Kyle of Hays moved that further consideration of the bill be postponed until May 12, 1933.

Mr. Hyder moved to table the motion to postpone the bill.

The motion to table prevailed.

Mr. Graves offered the following amendment to the bill:

Amend House Bill No. 256 by striking out all of said bill after Section 1, except Section 24, and insert in lieu thereof the following:

"Provided, all funds herein provided for shall be distributed in the same manner as the State per capita apportionment."

And renumber the sections of the bill.

GRAVES,  
ANDERSON of Bexar.

Mr. Parkhouse offered the following substitute amendment for the amendment by Mr. Graves:

Amend House Bill No. 256 by striking out all of said bill after Section 1, except Section 24, and insert in lieu thereof the following:

"Provided, all funds herein provided for shall be distributed in the same manner as the State per capita apportionment; and, provided further, no rural aid shall be given to schools with more than 400 enrollment."

PARKHOUSE,  
TARWATER,  
JONES of Atascosa,  
PURYEAR.

Mr. Harman moved the previous question on the pending amendments, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Parkhouse, it was lost.

Question then recurring on the amendment by Mr. Graves, it was lost.

Mr. Ray offered the following amendment to the bill:

Amend House Bill No. 256, page 3, line 11, by adding the following: "Districts where parochial schools are maintained are exempt from the provisions of this Section."

The amendment was adopted.

Mr. Wagstaff offered the following amendment to the bill:

Amend House Bill No. 256 by striking out the figures "\$4,000,000," in Section 1, page 2, and substitute in lieu thereof the figures "\$3,000,000."

(Mr. Rogers of Hunt in the Chair.)

Mr. Fain offered the following substitute for the amendment by Mr. Wagstaff:

Substitute for amendment to House Bill No. 256 by striking out the figures "\$4,000,000," in Section 1, page 2, wherever they appear, and insert in lieu thereof the figures "\$3,500,000."

(Speaker in the Chair.)

Mr. Wagstaff moved to table the substitute amendment.

The motion to table prevailed by the following vote:

#### Yeas—71

Adamson.	Jones of Atascosa.
Alexander.	Jones of Runnels.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Lemens.
Anderson	Lindsey.
of Johnson.	Lotief.
Baker.	Magee.
Bedford.	McCullough.
Burns.	McDougald.
Butler.	Merritt.
Calvert.	Mitcham.
Canon.	Moore.
Chastain.	Munson.
Clayton.	Pope.
Coombes.	Puryear.
Cowley.	Ratliff.
Davidson.	Ray.
Devall.	Reed of Bowie.
Ford.	Riddle.
Glass.	Rollins.
Golson.	Ross.
Good.	Russell.
Graves.	Scarborough.
Griffith.	Shults.
Harman.	Smith.
Harrison.	Stanfield.
Hartzog.	Steward.
Head.	Stinson.
Hicks.	Tarwater.
Hill of Brazoria.	Tillery.
Hill of Webb.	Turlington.
Hodges.	Van Zandt.
Holekamp.	Wagstaff.
Hoskins.	Wells.
Hughes.	Wood.
Jackson.	

#### Nays—41

Aikin.	Camp.
Barrett.	Colson.
Bourne.	Daniel.

Engelhard.	Metcalf.
Fain.	Moffett.
Fisher.	Morrison.
Fuchs.	Palmer.
Goodman.	Parkhouse.
Haag.	Pavlica.
Harris.	Ramsey.
Hester.	Reader.
Huddleston.	Reed of Dallas.
Hunt.	Roberts.
Hyder.	Scott.
James.	Stovall.
Jones of Shelby.	Thomas.
Kayton.	Vaughan.
Kyle of Hays.	Walker.
Latham.	Weinert.
Leonard.	Winningham.
Mackay.	

#### Absent

Barron.	Long.
Beck.	McClain.
Bradley.	McGregor.
Cathey.	McKee.
Celaya.	Morse.
Crossley.	Nicholson.
Dean.	Patterson.
Dunlap.	Renfro.
Dunagan.	Rogers of Hunt.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Greathouse.	Shannon.
Hankamer.	Sullivant.
Holland.	Tennyson.
Holloway.	Townsend.
Jefferson.	Young.
Johnson	
of Anderson.	

#### Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

Mr. Morse moved the previous question on the pending amendment, the amendments on the Speaker's desk, and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Wagstaff, yeas and nays were demanded.

The amendment was adopted by the following vote:

#### Yeas—71

Adamson.	Burns.
Alexander.	Butler.
Anderson	Calvert.
of Bexar.	Camp.
Baker.	Canon.
Beck.	Chastain.
Bedford.	Clayton.
Bourne.	Colson.

Coombes.	Merritt.
Cowley.	Mitcham.
Crossley.	Moore.
Fuchs.	Munson.
Golson.	Palmer.
Good.	Parkhouse.
Goodman.	Pope.
Graves.	Ratliff.
Greathouse.	Ray.
Haag.	Reader.
Hankamer.	Reed of Dallas.
Hartzog.	Riddle.
Hill of Brazoria.	Roberts.
Hill of Webb.	Rogers of Hunt.
Hodges.	Ross.
Holekamp.	Scott.
Hoskins.	Steward.
Huddleston.	Stinson.
Hughes.	Stovall.
Jackson.	Tarwater.
Jones of Atascosa.	Townsend.
Kayton.	Van Zandt.
Kyle of Hays.	Vaughan.
Leonard.	Wagstaff.
Lotief.	Weinert.
Mackay.	Winningham.
McDougald.	Wood.
McKee.	Young.

## Nays—49

Aikin.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Johnson.	Lemens.
Barrett.	Lindsey.
Daniel.	Magee.
Davidson.	McCullough.
Devall.	Moffett.
Engelhard.	Morrison.
Fain.	Morse.
Fisher.	Pavlica.
Glass.	Puryear.
Griffith.	Ramsey.
Harman.	Reed of Bowie.
Harris.	Renfro.
Harrison.	Rollins.
Head.	Russell.
Hester.	Scarborough.
Hicks.	Shults.
Holland.	Smith.
Hunt.	Stanfield.
Hyder.	Thomas.
James.	Tillery.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.

## Absent

Barron.	Dwyer.
Bradley.	Ford.
Cathey.	Holloway.
Celaya.	Jefferson.
Dean.	Johnson
Dunlap.	of Anderson.
Dunagan.	Long.
Duvall.	McClain.

McGregor.	Shannon.
Metcalfe.	Sullivant.
Nicholson.	Tennyson.
Patterson.	Turlington.
Rogers	
of Ochiltree.	

## Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

Mr. Metcalfe offered the following amendment to the bill:

Amend House Bill No. 256, page 4, line 39, by adding after the word "pupil," in said line, the following:

"Provided, that where regular busses do not run in sparsely settled sections of counties which are operating under a county unit system, the county school board and county superintendent are authorized to make provisions for the transportation of pupils, other than high school pupils, within said districts, and may make application for State aid thereon to an amount not to exceed \$1 per month per pupil."

The amendment was adopted.

Mr. Jones of Runnels offered the following amendment to the bill:

Amend Section 7, of House Bill No. 256, by substituting a semicolon for the period in line 25, and adding: "provided, that this Section does not apply to school districts that levy and assess a one-dollar tax on the one-hundred-dollar valuation of taxable property."

JONES of Runnels,  
METCALFE.

The amendment was adopted.

Mr. Jones of Runnels offered the following amendment to the bill:

Amend Section 4, of House Bill No. 256, by substituting a semicolon for the period in line 7, and adding the words: "provided, that in districts that levy and assess a one-dollar tax on the one-hundred-dollar valuation of taxable property, the teacher load shall be based on thirty scholastics, instead of thirty-five, as herein provided."

JONES of Runnels,  
METCALFE.

The amendment was adopted.

Mr. Hunt offered the following amendment to the bill:

Amend House Bill No. 256, page 2, Section 3, by striking out lines 25, 26, 27, 28, 29, 30, 31, 32, and 33 thereof.

The amendment was lost.

Mr. Kayton offered the following amendment to the bill:

Amend House Bill No. 256, pages 5 and 6, by striking out all of Section 16.

The amendment was adopted.

Mr. Kyle of Hays offered the following amendment to the bill:

Amend House Bill No. 256 by striking out "\$3,000," in line 23, page 3, and insert in lieu thereof "\$6,000."

The amendment was lost.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 244 by the following vote: Yeas, 28; nays, 3.

The Senate has concurred in House amendments to Senate Bill No. 334 by the following vote: Yeas, 28; nays, 3.

The Senate has passed

S. B. No. 329, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas, and authorizing payment of said miscellaneous claims on taking effect of this Act; and declaring an emergency."

The Senate has adopted

S. C. R. No. 56, Memorializing Congress to amend the Wagner Bill in order that Reconstruction Finance Corporation funds apportioned to Texas may be used for the building of roads in any section of the State.

The Senate has concurred in House amendments to Senate Bill No. 251 by a viva voce vote.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due

notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 109, "An Act amending Article 6881, of Title 120, Chapter 5, of the Revised Civil Statutes of the State of Texas, 1925, correcting the laws applying to bonds executed by constables, and declaring an emergency."

H. B. No. 294, "An Act to amend Article 2029, Chapter 3, of the Revised Civil Statutes of 1925 (relating to service of citation on officers or agents of associations, etc., in suits against such associations, corporations, etc.), and declaring an emergency."

H. B. No. 799, "An Act to amend Article 1601, Chapter 5, Title 33, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, Regular Session, page 264, Chapter 185, so as to require all indebtedness against a courthouse, or courthouses, shall be paid in full before the county seat of any county can be moved from its present location; repealing all laws or parts of laws in conflict herewith; declaring a rule of construction; and declaring an emergency."

H. B. No. 62, "An Act to amend Article 1778, of Chapter 6, of Title 37, and Article 1871, of Chapter 5, of Title 39, of the Revised Civil Statutes of 1925, relating to the time for returning executions for costs issued from the Supreme Court and Courts of Civil Appeals; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 203, "An Act to amend Chapter 40, Acts of Second Called Session of the Forty-second Legislature, and Chapter 271, Acts of the Regular Session of the Forty-second Legislature, as amended by said Chapter 40, Acts of the Second Called Session of the Forty-second Legislature, and declaring an emergency."

S. B. No. 244, "An Act authorizing water improvement districts to borrow money and create debts and obligations to fully carry out the purpose of their organization, and to levy and collect taxes, and to fix, levy, and collect charges for the use of water, and power, and other serv-

ices, and to pledge same for the payment of debts, and to provide for the government and operation of such districts; and declaring an emergency."

S. B. No. 334, "An Act to amend Articles 1111, 1112, 1113, and 1114, of the Revised Civil Statutes of Texas for 1925, and amendments thereof as passed by the Fortieth Legislature, found in Chapter 194, page 276, of the Regular Session of the Fortieth Legislature, and as amended by Chapter 32, Acts of the Third Called Session of the Forty-second Legislature, at page 96, of the Acts of the Third Called Session of the Forty-second Legislature, providing for the character of repairs and extensions necessary to render efficient service which shall be a first lien and charge upon the incomes of the particular utility which is repaired or extended, and declaring an emergency."

H. C. R. No. 7, Granting W. T. Stair permission to bring suit against the State of Texas.

H. C. R. No. 18, Proposing that the State of Texas shall accept title to the De Zavalla Cemetery Park.

H. C. R. No. 49, Granting Dick Isbell permission to sue the State.

H. C. R. No. 59, Granting Albert Moore permission to sue the State.

H. C. R. No. 60, Granting W. C. Moore permission to sue the State.

H. C. R. No. 69-a, Granting Martin Brothers permission to sue the State.

The House, at 12 o'clock m., by unanimous consent, agreed to stand at ease until 2 o'clock p. m., today.

The House reconvened at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 256 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 256, making certain appropriations for the aid of rural schools, on its passage to engrossment;

The bill having heretofore been read second time.

Mr. Daniel offered the following amendment to the bill:

Amend House Bill No. 256, page 3, line 18, after the word "district," by inserting the following: "or not less than 75 cents, inclusive of the tax for interest and sinking fund for bonds."

DANIEL,  
HEAD.

(Mr. Alexander in the Chair.)

Mr. Good offered the following substitute amendment for the amendment by Mr. Daniel:

Substitute for amendment to amend House Bill No. 256, page 3, line 15, by striking out after the word "tax" the following: "exclusive of the tax for interest and sinking fund for bonds."

The substitute amendment was lost.

Question then recurring on the amendment by Mr. Daniel and Mr. Head, it was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 256 by changing the figures "200," in line 21, on page 2, of the printed bill, to the figures "500."

The amendment was lost.

(Speaker in the Chair.)

Mr. Chastain moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Chastain, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

Mr. Vaughan offered the following amendment to the bill:

Amend House Bill No. 256, page 2, by adding, at the end of Section 1, the following:

"Provided further, that none of the appropriation hereby made shall ever be used to pay any part of any teacher's salary who is drawing in excess of \$100 per month."

The amendment was lost.

Mr. Vaughan offered the following amendment to the bill:

Amend House Bill No. 256, page 2, by adding, at the end of Section 1, the following:

"Provided, that none of the appropriation hereby made shall ever be used to pay salaries or expenses, or any part thereof, of school supervisors."

The amendment was adopted.

Mr. Puryear offered the following amendment to the bill:

Amend House Bill No. 256, Section 4, line 37, page 2, by striking out the word "thirty-five," and insert in lieu thereof the word "thirty."

PURYEAR,  
AIKIN.

The amendment was adopted.

Mr. Scott offered the following amendment to the bill:

Amend House Bill No. 256 by striking out Section 10, pages 3 and 4.

SCOTT,  
MERRITT,  
WOOD,  
DANIEL.

The amendment was adopted.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend House Bill No. 256, page 3, line 10, Section 5, by striking out "70 per cent" and insert in lieu thereof "60 per cent."

The amendment was adopted.

Mr. Aikin moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend House Bill No. 256, page 3, by striking out Section 8, and renumbering sections accordingly.

The amendment was adopted.

Mr. Wagstaff offered the following amendment to the bill:

Amend House Bill No. 256 by striking out, in line 15, page 4, the figures "\$7.50" and insert in lieu thereof the figures "\$5."

The amendment was lost.

Mr. Fain offered the following amendment to the bill:

Amend House Bill No. 256, page 3, Section 9, by striking out lines 36,

37, and 38, and substituting in lieu thereof the following: "and conformity to a maximum under any schedule of salaries shall not be mandatory as a prerequisite to eligibility for aid under this Act."

The amendment was lost.

Mr. Engelhard offered the following amendment to the bill:

Amend House Bill No. 256 by striking out, on page 4, Section 11, line 15: "the payment of all approved," and all of lines 16 and 17, and the word "claims" in line 18.

The amendment was lost.

Mr. Merritt offered the following amendment to the bill:

Amend House Bill No. 256, page 4, Section 12, by adding at the end of the second paragraph thereof, the following:

"Provided, however, that no part of the funds hereby provided and appropriated for transportation purposes shall be expended for the purpose of transporting any pupil, or pupils, from one district to another where the schools are making provisions for same grades to be taught."

MERRITT,  
SCOTT,  
COOMBES.

The amendment was adopted.

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 256, Section 17, line —, page 6, after the word "appropriated," by striking out the lines down and including line 16, and substitute in lieu thereof the following: "The county superintendent and county school board shall make the inspection and file the report, in harmony with the instructions from the State Board of Education, as stated above in said Section."

BURNS,  
LOTIEF.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—95

Adamson.	Bradley.
Alexander.	Burns.
Anderson	Calvert.
of Johnson.	Camp.
Baker.	Canon.
Bourne.	Cathey.

Chastain.	McCullough.
Clayton.	McDougald.
Colson.	McKee.
Coombes.	Merritt.
Cowley.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunagan.	Palmer.
Fain.	Pavlica.
Fisher.	Pope.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Reader.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Hankamer.	Rogers
Hartzog.	of Ochiltree.
Hill of Brazoria.	Rollins.
Hill of Webb.	Ross.
Hodges.	Scarborough.
Holekamp.	Scott.
Hoskins.	Shults.
Huddleston.	Stanfield.
Hughes.	Steward.
Jackson.	Stinson.
James.	Stovall.
Jones of Atascosa.	Tarwater.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Leonard.	Winningham.
Lindsey.	Wood.
Lotief.	Young.
McClain.	

## Nays—17

Aikin.	Jefferson.
Alsup.	Lemens.
Barrett.	Magee.
Beck.	Ray.
Haag.	Russell.
Harman.	Smith.
Head.	Sullivant.
Hester.	Wells.
Hyder.	

## Absent

Anderson	Griffith.
of Bexar.	Harris.
Barron.	Harrison.
Bedford.	Hicks.
Butler.	Holland.
Celaya.	Holloway.
Dunlap.	Hunt.
Duvall.	Johnson
Dwyer.	of Anderson.
Engelhard.	Long.
Ford.	Mackay.

McGregor.	Renfro.
Munson.	Riddle.
Nicholson.	Shannon.
Parkhouse.	Turlington.
Patterson.	Van Zandt.
Puryear.	Weinert.

## Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

Mr. Laird offered the following amendment to the bill:

Amend House Bill No. 256, page 6, by adding, at the end of Section 17, the following:

"Section 17-a. All schools not having over four teachers and not having received State aid heretofore, may receive \$10 per teacher for library books from this fund, if the amount received is duplicated by local funds from any source. Every classroom in schools applying for this aid must either have a library room, a library case, or shelves with a locker. The books must be selected from the library bulletins prepared by the State Department of Education, and a copy of the books purchased must be filed with the county superintendent. The money raised by the school applying for this aid must be deposited in a bank, or vouched for by the county superintendent. Schools may qualify for this aid each year during the biennium. There shall be no local tax requirement for library aid."

The amendment was adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend House Bill No. 256, page 7, by adding a new Section, to be known as Section 22-a, as follows:

"Section 22-a. No district entitled to rural aid shall receive more than seventy-five per cent (75%) of the amount to which it is entitled under the provisions of this Act, until all applications for such aid have been received and approved. After the payment of seventy-five per cent (75%) of the claim of each district, if there is not sufficient appropriation under this Act to pay every claim in full, each district shall receive a pro rata part of the remainder, and there shall be no deficit."

The amendment was adopted.

Mr. Scott offered the following amendment to the bill:

Amend House Bill No. 256, page 5, line 22, by changing "four" to "three."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 256 was then passed to engrossment.

### HOUSE BILL NO. 256 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 256 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Adamson.	Hester.
Aikin.	Hill of Brazoria.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Johnson.	Hoskins.
Baker.	Hughes.
Barrett.	Hyder.
Barron.	Jackson.
Beck.	James.
Bourne.	Jefferson.
Bradley.	Jones of Atascosa.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kyle of Palo Pinto.
Canon.	Laird.
Chastain.	Latham.
Clayton.	Lemens.
Daniel.	Lindsey.
Davidson.	Lotief.
Dean.	Magee.
Devall.	McCullough.
Dunagan.	McDougald.
Engelhard.	McGregor.
Fain.	McKee.
Fisher.	Merritt.
Ford.	Metcalf.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Graves.	Nicholson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Haag.	Patterson.
Hankamer.	Pavlica.
Harman.	Pope.
Hartzog.	Ramsey.
Head.	Ratliff.

Ray.	Steward.
Reed of Bowie.	Stinson.
Reed of Dallas.	Stovall.
Renfro.	Sullivant.
Roberts.	Tarwater.
Rogers of Hunt.	Thomas.
Rollins.	Tillery.
Ross.	Vaughan.
Russell.	Wagstaff.
Scarborough.	Walker.
Scott.	Wells.
Shults.	Winningham.
Smith.	Wood.
Stanfield.	Young.

Nays—5

Hill of Webb.	Reader.
Kayton.	Townsend.
Kyle of Hays.	

Absent

Anderson	Hunt.
of Bexar.	Johnson
Bedford.	of Anderson.
Butler.	Leonard.
Cathey.	Long.
Celaya.	Mackay.
Colson.	McClain.
Coombes.	Mitcham.
Cowley.	Munson.
Crossley.	Puryear.
Dunlap.	Riddle.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Goodman.	Shannon.
Harris.	Tennyson.
Harrison.	Turlington.
Hicks.	Van Zandt.
Holloway.	Weinert.
Huddleston.	

Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 256 before the House on its third reading and final passage.

The bill was read third time.

Mr. Metcalfe offered the following amendment to the bill:

Amend House Bill No. 256, page 7, by inserting between lines 25 and 26, a new Section, to be numbered Section 21-a, and reading as follows:

"Section 21-a. In counties which constitute a single school district, and in which there is no governing body designated as the county school board, the duties authorized by this Act to be performed by the county school board, are hereby conferred



upon the existing governing bodies of such districts."

Mr. Kayton moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Metcalfe, it was adopted.

House Bill No. 256 was then passed by the following vote:

## Yeas—111

Adamson.	Jefferson.
Aikin.	Jones of Atascosa.
Alexander.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kyle of Palo Pinto.
of Johnson.	Laird.
Baker.	Latham.
Barrett.	Lemens.
Barron.	Leonard.
Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Magee.
Calvert.	McClain.
Camp.	McCullough.
Canon.	McDougald.
Chastain.	McGregor.
Clayton.	McKee.
Colson.	Merritt.
Cowley.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunagan.	Palmer.
Fain.	Parkhouse.
Fisher.	Patterson.
Ford.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Good.	Ratliff.
Goodman.	Reed of Bowie.
Graves.	Reed of Dallas.
Greathouse.	Renfro.
Griffith.	Roberts.
Haag.	Rogers of Hunt.
Hankamer.	Rollins.
Harman.	Ross.
Hartzog.	Russell.
Head.	Scarborough.
Hester.	Scott.
Hill of Brazoria.	Shults.
Hodges.	Smith.
Holekamp.	Stanfield.
Hoskins.	Steward.
Huddleston.	Stinson.
Hughes.	Stovall.
Hunt.	Sullivant.
Hyder.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.

Tillery.  
Vaughan.  
Wagstaff.  
Walker.

Wells.  
Winningham.  
Wood.  
Young.

## Nays—6

Anderson	Kyle of Hays.
of Bexar.	Reader.
Hill of Webb.	Townsend.
Kayton.	

## Absent

Beck.	Johnson
Bedford.	of Anderson.
Butler.	Long.
Cathey.	Mackay.
Celaya.	Munson.
Coombes.	Nicholson.
Dunlap.	Ray.
Duvall.	Riddle.
Dwyer.	Rogers
Engelhard.	of Ochiltree.
Harris.	Shannon.
Harrison.	Turlington.
Hicks.	Van Zandt.
Holland.	Weinert.
Holloway.	

## Absent—Excused

Caven.	Mathis.
Few.	Savage.
Johnson of Dimmit.	

Mr. Burns moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

## REASON FOR VOTE

I voted "nay" on House Bill No. 256 because it is not uniform and not equal in the application of the funds appropriated for rural aid. It encourages the rendition of property at an extremely low value and encourages misrepresentation in regard to conditions in the various counties. I approve of the principles included in the bill, but I oppose the discrimination included therein, because it is my opinion that every rural child is entitled to as much State aid as any other rural child.

KYLE of Hays.

#### COMMUNICATIONS IN REGARD TO RECONSTRUCTION FI- NANCE CORPORATION

On motion of Mr. McGregor, the following communications were ordered printed in the Journal:

Washington, D. C., May 3, 1933.

Hon. Miriam A. Ferguson,  
Austin, Texas.

All States that are at all able to do so are co-operating with the Reconstruction Finance Corporation in relief work by providing part of the required funds, and I sincerely trust that Texas will do its full share, as, in my opinion, no State in the Union is better able, or has been less affected by the depression, than our own. Telegram going forward from the Relief Division today.

JESSE H. JONES, Director.

Washington, D. C., May 3, 1933.

Hon. Miriam A. Ferguson, Governor  
of Texas, Austin, Texas.

Upon your application and certificate of necessity, the Reconstruction Finance Corporation made funds available for the relief of distress in Texas for the month of March, with the understanding that certain definite steps would be taken by the State. One of these steps was: "To make definite progress toward a State legislative program that will enable the State and its political subdivisions to assume a fuller share of the relief needs of distressed people within the State." Later, upon your application and certificate of necessity, and upon assurance by Members of a Joint Committee of legislative action by the State Assembly, relief funds were made available for April. Consideration of your application for relief funds for May will await State legislative action. In view of the fact that your legislation has not yet been enacted, will you please adopt such procedure as you think best to insure that no obligations will be incurred upon the assumption that further funds will be made available after the exhaustion of amounts already authorized, unless legislation is enacted which will justify consideration of the May request.

FRED C. CROXTON,  
Assistant to the Directors.

#### BILL LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Kayton, by unanimous consent, House Bill No. 847 was laid on the table subject to call.

#### MEMORIALIZING CONGRESS IN REGARD TO "WAGNER BILL"

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 56, Memorializing Congress in regard to "Wagner Bill."

Whereas, The R. F. C. funds available for the Texas Relief Commission may be used only for one of three purposes: reforestation, flood prevention, or soil erosion; and

Whereas, There is no reforestation or flood prevention in West Texas, and very little benefit can be derived from soil erosion work, all of which practically deprives the entire western part of Texas from any benefit to be derived from these relief funds; and

Whereas, All of West Texas is badly in need of improved roads, and if the portion of said funds belonging to West Texas could be used also in the betterment of roads in that section of the State, it would not only give employment to those needing the same, but would greatly add to the betterment of that section of the State as a whole; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Legislature of the State of Texas memorialize the National Congress to so amend the "Wagner Bill" that the R. F. C. funds to be apportioned to the Texas Relief Commission may be used for the building of good roads in any section of the State which can not use them more profitably in the work of reforestation, flood prevention, or soil erosion.

The resolution was read second time, and was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 57, Requesting the President of the United States not to appoint a director, or dictator, for the oil industry of this Nation, in so far as may apply to the State of Texas.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

## HOUSE BILL NO. 464 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 464, A bill to be entitled "An Act to simplify the operations of the Executive Department of the State Government by abolishing certain offices, boards, departments, commissions, and institutions; creating others; redistributing the powers, duties, and functions of the Executive Department among such offices, boards, commissions, and departments as are herein created or hereby retained; defining such powers, duties, and functions, and co-ordinating them; fixing terms of office, methods of appointment and election, duties, and qualifications of offices and positions, and providing the methods of fixing the compensation thereof; repealing all laws and parts of laws in conflict herewith, and for other purposes."

The bill was read second time.

Question—Shall the bill pass to engrossment?

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 242, "An Act to repeal Chapter 5, Acts of the Thirty-sixth Legislature, Third Called Session, and Chapter 34, Section 1 and Subsection 15, Acts of the Thirty-seventh Legislature, Regular Session."

H. B. No. 62, "An Act to amend Article 1778, of Chapter 6, of Title 37, and Article 1871, of Chapter 5, of Title 39, of the Revised Civil Statutes of 1925, relating to the time for returning executions for costs issued from the Supreme Court and Courts of Civil Appeals; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 762, "An Act to amend Article 2525, of Chapter 1, Title 47, of the Revised Civil Statutes of the State of Texas, of 1925, as amended by Chapter 57, of the Acts of the First Called Session of the Fortieth Legislature, by adding thereto appro-

priate provisions for periodical inquiries by the State Depository Board as to the rate of interest to be paid by State depositories and reserve depositories, conferring power on said Board to adjust such rate of interest from time to time, and providing that any State depository or reserve depository, considering itself to be aggrieved by such action of the Board, shall have the right to cancel its contract, as provided by Article 2537, of the Revised Civil Statutes; etc.; and declaring an emergency."

S. B. No. 268, "An Act making an appropriation to pay taxes due by the State of Texas to Bowie County, Texas, for the years 1928 to 1932, inclusive, on lands owned by the Texas Prison System; and declaring an emergency."

S. B. No. 265, "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, the sum of eleven hundred and seventy dollars and twenty cents (\$1,170.20), not otherwise appropriated, to cover taxes due by the State of Texas to the Brazoria Independent School District, covering the years from 1929 to 1932; and declaring an emergency."

S. B. No. 529, "An Act amending Section 1, of Chapter 114, of the Local and Special Laws of the State of Texas, passed by the Thirty-ninth Legislature, at its Regular Session, and providing for the validating of assessments of taxes heretofore levied and assessed on territory within the boundaries of the Markham Independent School District, in Matagorda County, Texas, as set out in the original bill; and declaring an emergency."

S. B. No. 388, "An Act ordering and authorizing the Governor of the State of Texas, and the Commissioner of the General Land Office of the State of Texas, to convey and quitclaim to the trustees of the Troup Consolidated Independent School District, in Smith and Cherokee Counties, Texas, and their successors in office for the use and benefit of said Troup Consolidated Independent School District the now abandoned site, lands, and property of the Troup Experiment Station located partly in and partly contiguous to the city limits of the town of Troup, in Smith

County, Texas, the total consideration for said conveyance being to the State of Texas that said lands and property were heretofore deeded to the Governor of the State of Texas by the citizens without cost to the State for public use, which said public use has now ceased, and declaring an emergency."

S. B. No. 465, "An Act amending Chapter 101, Special Laws of the Forty-second Legislature, Regular Session, the same being known as House Bill No. 744, by amending Section 2-d, and declaring an emergency."

S. B. No. 251, "An Act making appropriations to pay past due rent on armories from March 1, 1932, to August 31, 1932, under lease to the National Guard of the State of Texas, and authorizing payment of said rent on taking effect of this Act; and declaring an emergency."

S. B. No. 287, "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, the sum of one thousand, three hundred and thirty-two dollars and forty-two cents (\$1,332.42), not otherwise appropriated, to cover taxes due by the State of Texas to Freeport Independent School District, covering the years; and declaring an emergency."

S. B. No. 533, "An Act to amend Subsection 5, of Section 12, of House Bill No. 3, passed at the Regular Session of the Forty-third Legislature; and declaring an emergency."

S. B. No. 488, "An Act to amend Senate Bill No. 54, Chapter 17, pages 262 to 265, inclusive, Acts of the Fourth Called Session of the Thirty-fifth Legislature of Texas, approved March 25, 1918, which said Act was amendatory of Sections 12 and 16 of the Special Road Law for Smith County, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, of the Special Laws of said Thirty-third Legislature, and which is also amendatory of Section 3, of Chapter 8, of the Special Road Law of Smith County, Texas, passed at the Regular Session of the Thirty-fourth Legislature, and approved February 16, 1915, so as to further provide that each officer and witness shall be allowed to receive one-half of his fees, exclusive of com-

missions, whenever a county convict shall have discharged the fine and costs adjudged against him in full by work, or by work and money; and declaring an emergency."

S. B. No. 537, "An Act abolishing the office of District Attorney in the Seventy-fourth Judicial District of Texas; fixing the duties of county attorneys of said District; fixing their compensation; repealing conflicting laws; and declaring an emergency."

S. B. No. 234, "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, the sum of twelve thousand and twelve dollars and seventy-nine cents (\$12,012.79), not otherwise appropriated, to cover taxes due by the State of Texas to Fort Bend County, covering the years 1929 to 1932, inclusive; and declaring an emergency."

#### ADJOURNMENT

Mr. Dunagan moved that the House adjourn until 9:30 o'clock a. m., next Monday.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—54

Anderson	Jackson.
of Johnson.	Jefferson.
Barrett.	Jones of Shelby.
Burns.	Kyle of Hays.
Calvert.	Leonard.
Canon.	McDougald.
Clayton.	McGregor.
Colson.	McKee.
Coombes.	Merritt.
Crossley.	Metcalfe.
Daniel.	Moffett.
Davidson.	Palmer.
Dunagan.	Ramsey.
Engelhard.	Reader.
Ford.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rollins.
Haag.	Scarborough.
Hankamer.	Shults.
Head.	Smith.
Hester.	Steward.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Townsend.
Holland.	Vaughan.
Hoskins.	Wood.
Hughes.	

Nays—53

Adamson.	Alexander.
Aikin.	Alsup.

Barron.	Moore.
Bourne.	Morrison.
Bradley.	Morse.
Camp.	Nicholson.
Chastain.	Parkhouse.
Cowley.	Pavlica.
Devall.	Ratliff.
Fain.	Ray.
Fisher.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Rogers
Graves.	of Ochiltree.
Hartzog.	Ross.
Holekamp.	Russell.
Huddleston.	Scott.
Hunt.	Stinson.
Hyder.	Stovall.
James.	Tarwater.
Jones of Atascosa.	Tennyson.
Jones of Runnels.	Thomas.
Laird.	Tillery.
Lemens.	Wagstaff.
Lindsey.	Walker.
Magee.	Wells.
Mitcham.	Winningham.

## Absent

Anderson	Johnson
of Bexar.	of Anderson.
Baker.	Kayton.
Beck.	Kyle of Palo Pinto.
Bedford.	Latham.
Butler.	Long.
Cathey.	Lotief.
Celaya.	Mackay.
Dean.	McClain.
Dunlap.	McCullough.
Duvall.	Munson.
Dwyer.	Patterson.
Fuchs.	Pope.
Harman.	Puryear.
Harris.	Shannon.
Harrison.	Stanfield.
Hicks.	Turlington.
Hodges.	Van Zandt.
Holloway.	Weinert.
	Young.

## Absent—Excused

Caven.	Mathis.
Few.	Savage.

Johnson of Dimmit.

The House, accordingly, at 4 o'clock p. m., adjourned until 9:30 o'clock a. m., next Monday, May 8.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Claims and Accounts: House Bill No. 241.

Municipal and Private Corporations: House Bill No. 923.

Revenue and Taxation: Senate Bill No. 412.

Constitutional Amendments: Senate Joint Resolutions Nos. 19 and 2.

Judiciary: Senate Bill No. 32.

## REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 384, A bill to be entitled "An Act to amend Article 7149, Chapter 6, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the definition of the terms 'credit,' 'tract,' or 'lot,' 'town,' or 'district,' 'value,' 'person,' so as to change the definition of 'value,' in regard to real and other property; to amend Article 7174, Chapter 6, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the value of property for taxation, so as to provide for such valuation in conformity with the changed definition of 'value'; to amend Article 7206, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the commissioners court acting as the board of equalization, so as to fix the duties in conformity with the definition of 'value'; to amend Article 7211, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the equalization of assessments, so as to change the valuations fixed to conform with the definition of 'value'; to amend Article 7212, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the power of boards of equalization, and to fix valuation on property for taxation, by providing that, after said valuation has been fixed, said board shall direct the tax assessor to place said property on tax rolls for taxation at 40 per cent of the value so fixed; and to amend Article 7214, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the oath of the tax assessor or his deputy, so as to conform such oath to the definition of 'value'; to amend Article 7215, Chap-

ter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the oath of the board of equalization, by providing that said oath shall be not to vote nor allow any taxable property to stand assessed at less than 40 per cent of its value, as 'value' is defined herein; to amend Article 7222, Chapter 7, Title 122, of the Revised Civil Statutes of the State of Texas, 1925, relating to the oath to be made by the tax assessor, by providing that said oath shall be as to 40 per cent of the true and full value; repealing all laws and parts of laws in conflict herewith; directing a rule of construction; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 7, Granting W. T. Starr permission to bring suit against the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 18, Proposing for the State to accept title to the De Zavala Cemetery Park,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 69-a, Granting Martin Brothers permission to sue the State,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 60, Granting W. C. Moore permission to bring suit against the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 59, Granting Albert Moore permission to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 49, Granting permission to Dick Isbell to sue the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 799, "An Act to amend Article 1601, Chapter 5, Title 33, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts 1927, Fortieth Legislature, Regular Session, page 264, Chapter 185, so as to require all indebtedness against a courthouse or courthouses shall be paid in full before the county seat of any county can be moved from its present location; repealing all laws or parts of laws in conflict herewith; declaring a rule of construction, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 762, "An Act amending  
Articles 2525, 2528, and 2533, Chapter  
1, Title 47, Revised Civil Statutes of  
the State of Texas of 1925, as amend-  
ed by Chapter 57, First Called Session,  
Fortieth Legislature, so as to author-  
ize the State Depository Board to fix  
periodically the rate of interest to be  
paid by State depositories and reserve  
depositories on State funds in lieu of  
the rates now specifically fixed by  
statute; substituting the State Comp-  
troller for the Attorney General as a  
member of the State Depository  
Board; and amending Articles 2536,  
2537, and 2539, Chapter 1, Title 47,  
Revised Civil Statutes of the State of  
Texas of 1925, to conform therewith,  
and repealing Articles 2540, 2541, 2542,  
and 2543, Chapter 1, Title 47, Revised  
Civil Statutes of the State of Texas  
of 1925; and declaring an emergency,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 294, "An Act to amend  
Article 2029, Chapter 3, of the Re-  
vised Civil Statutes of 1925, and de-  
claring an emergency,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 242, "An Act to repeal  
Chapter 5, Acts of the Thirty-sixth  
Legislature, Third Called Session, and  
Chapter 34, Section 1, and Subsection  
15, Acts of the Thirty-seventh Legis-  
lature, Regular Session, and providing  
for the effective date of this Act,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 109, "An Act amending  
Article 6881, of Title 120, Chapter 5,  
of the Revised Civil Statutes of the  
State of Texas, 1925, correcting the  
laws applying to bonds executed by  
constables, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, May 5, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 62, "An Act to amend  
Article 1778, of Chapter 6, of Title 37,  
and Article 1871, of Chapter 5, of  
Title 39, of the Revised Civil Statutes  
of 1925, relating to the time for re-  
turning executions for costs issued  
from the Supreme Court and Courts  
of Civil Appeals; repealing all laws  
and parts of laws in conflict herewith;  
and declaring an emergency,"

Has carefully compared same, and  
finds it correctly enrolled.

MORRISON, Vice-Chairman.

## SIXTY-FIRST DAY

(Monday, May 8, 1933)

The House met at 9:30 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing Members were present:

Mr. Speaker.	Cathey.
Adamson.	Caven.
Aikin.	Celaya.
Alexander.	Chastain.
Anderson	Clayton.
of Bexar.	Coombes.
Anderson	Cowley.
of Johnson.	Crossley.
Baker.	Daniel.
Barrett.	Davidson.
Beck.	Dean.
Bourne.	Devall.
Bradley.	Dunlap.
Burns.	Dunagan.
Butler.	Duvall.
Calvert.	Dwyer.
Camp.	Engelhard.
Canon.	Fain.